

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**

Application No.: **NOT YET ASSIGNED**

Filed: **July 6, 2001**

For: **FENOFIBRATE PHARMACEUTICAL COMPOSITION HAVING HIGH BIOAVAILABILITY AND METHOD FOR PREPARING IT**

Attorney Docket No: 107664.115US3

Assistant Commissioner of Patents
Washington, DC 20231

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LB
9/18/01

PRELIMINARY AMENDMENT

Prior to consideration of the above application on the merits, please enter the following preliminary amendment, without prejudice.

IN THE CLAIMS:

Please cancel claims 1-34 without prejudice, and add new claims 35-56. A clean copy of the pending claims is set forth in Appendix 1. A marked-up copy of the claims showing the amendments is set forth in Appendix 2.

IN THE SPECIFICATION:

Please amend the specification at pages 1 and 23. A clean copy of the amended paragraphs at pages 1 and 23 is set forth in Appendix 3, and a marked-up copy showing the changes to the specification at pages 1 and 23 is set forth in Appendix 4.

Remarks

After entry of the amendment, claims 35-56 are pending in the application.

The specification has been amended to refer to the related applications and to amend the Abstract of the Disclosure. Added claims 35-56 are supported throughout

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